



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

*This meeting will be televised live on Channel 6;
repeated on 12/9/05 at 8 pm and 12/10/05 at 9 am*

Tuesday, December 6, 2005

9:15 **INVOCATION** - Reverend Phillip Cato, St. John's Episcopal Church, Olney

9:20 **ELECTION OF COUNCIL OFFICERS**

10:15 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: (Lauer)

(1) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 10:20 **CONSENT CALENDAR**

A. **Introduction** - Franchise Agreement for Use of Public Right of Way: MD-CLEC LLC (Healy)

Public Hearing is scheduled for 1/17/06 at 1:30 pm.

B. **Action** - Executive Regulation 16-05AM, Integrated Emergency Command Structure(Davidson)
PS Committee recommends approval as amended.

C. **Action** - Extension of time until June 30, 2006 for Council action on Executive Regulation 18-05, Certification Standards for Training, Experience, and Credentialing Requirements (Davidson)

D. **Action** - End-of-Year Transfer for FY05 County Government Operating Budget: \$9,091,720 (Sherer)
MFP Committee recommends approval.

E. **Action** - Resolution to authorize Advance Taking - Park Lane Improvement Project (Orlin)
T&E Committee recommends approval..

F. **Action** - Confirmation of County Executive appointments to the Board of Electrical Examiners: James D. Horstkamp, Donald Steinman, Evan Bestland (Ferber)

G. **Action** - Confirmation of County Executive appointments to the Ethics Commission: Stuart D. Rick, Nina Weisbroth (Ferber)

- (3) 10:25 **ACTION** - Special appropriation to the M-NCPPC's FY06 Capital Budget and amendment to the FY05-10 Capital Improvements Program - \$1,600,000 for Needwood Golf Course Improvements (Source: County Current Revenue) (Michaelson)
PHED Committee recommends approval with amendments.

10:30 **LEGISLATIVE SESSION Day #38**

- A. Approval of Legislative Journal (Lauer)
B. Introduction of Bills
- (4) • **Bill 41-05**, Health Services - Advisory Board for Montgomery Cares Program - Establishment, sponsored by HHS Committee (Boucher)
Public Hearing is scheduled for 1/17/06 at 1:30 pm.
- (5) • **Expedited Bill 42-05**, Minority Owned Business Purchasing Program - Extension, sponsored by the Council President at the request of the County Executive (Healy)
Public Hearing is scheduled for 1/17/06 at 1:30 pm.
- C. Call of Bills for Final Reading
- (6) • **Bill 33-05**, Silver Spring Parking Lot District - Amendments (Healy)
T&E Committee recommends approval.
- (7) • **Bill 20-05**, Transmission Facility Coordination - Amendments (Healy/Wilson)
MFP Committee recommends approval.
- (8) • **Expedited Bill 29-05**, Condominiums - Conversion of Rental Housing (Boucher)
PHED Committee recommends approval with amendments.
- (9) • **Bill 23-05**, Domestic Violence Coordinating Council - Establishment (Boucher)
PS Committee recommends approval with amendments.
- (10) • **Expedited Bill 34-05**, South Germantown Recreational Park - Tennis Center Lease - Amendments (Faden)
- (11) • **Expedited Bill 27-05**, Forest Conservation - Penalties (Faden)
T&E Committee recommends approval.
- (11.1) 11:25 **INTRODUCTION** - Resolution to set certain penalty and fee amounts under the Forest Conservation Law, sponsored by T&E Committee (Faden)
Action is tentatively scheduled for 12/13/05.

11:30 **DISTRICT COUNCIL SESSION**

- (12) A. **Introduction** - Zoning Text Amendment 05-21, Corporate Training Center - C-P Zone, sponsored by Councilmember Floreen (Wilson)
Action - Resolution to establish public hearing for 1/17/06 at 1:30 pm.
- (13) B. **Action** - Resolution to extend time for Council action on the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan until February 18, 2006 (Michaelson)

11:30 **DISTRICT COUNCIL SESSION** *(continued)*

- (14) C. **Action** - Resolution to extend time for Council action on the Shady Grove Sector Plan until March 12, 2006 (Michaelson)
- (15) D. **Action** - Amendment to the Master Plan for Historic Preservation: Moreland and Sycamore Store (Arthur)
- (16) E. **Action** - Zoning Text Amendment 05-10, Telecommunication Facility - Amendments (Healy/Wilson)
MFP Committee recommends approval with amendments.
- (17) F. **Action** - Zoning Text Amendment 05-13, Sign Review - Fees (Faden)
PHED Committee recommends approval with amendments.

12:15 **RECESS**

- (18) 1:30 **PUBLIC HEARING** - Resolution regarding Spending Affordability Guidelines for FY07 Operating Budget (Sherer)
MFP Committee worksession tentatively scheduled for 12/12/05.
- (19) 1:30 **PUBLIC HEARING** - Resolution to establish a Transportation Management District (TMD) in Greater Shady Grove (Orlin)
T&E Committee worksession tentatively scheduled for 1/19/06.
- (20) 1:30 **PUBLIC HEARING - Bill 36-05**, Transportation Management Districts - Fees (Boucher)
T&E Committee worksession tentatively scheduled for 1/19/06.
- (21) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY06 Operating Budget, Non-Departmental Account - \$1,150,000 for Working Families Income Supplement Montgomery County Earned Income Tax Credit Program (Source: General Fund Undesignated Reserves) (Sherer)
MFP Committee worksession tentatively scheduled for 12/12/05.
- (22) 1:30 **PUBLIC HEARING** - Subdivision Regulation Amendment 05-03, Adequate Public Facilities - Validity Period (Faden)
PHED Committee worksession will be scheduled at a later date.
- (23) 1:30 **PUBLIC HEARING - Bill 28-05**, Building Permits - Adequate Public Facilities (Faden)
PHED Committee worksession will be scheduled at a later date.
- (24) 1:30 **PUBLIC HEARING - Expedited Bill 37-05**, Taxicabs - Fees (Boucher/Orlin)
T&E Committee worksession tentatively scheduled for 12/8/05.
- (25) 1:30 **PUBLIC HEARING** - Resolution to set certain Taxicab Fees (Orlin/Boucher)
T&E Committee worksession tentatively scheduled for 12/8/05.

- (26) 1:30 **PUBLIC HEARING** - Special appropriation to the Maryland-National Capital Park and Planning Commission's FY06 Operating Budget - \$1,153,100 for Development Review Division (Source: Development Review Special Revenue Fund) (Michaelson)
PHED Committee worksession will be scheduled at a later date.
- (27) 1:30 **PUBLIC HEARING/ACTION - Expedited Bill 40-05**, Minority Owned Business Purchasing Program - Extension of sunset (Healy)
Notice - Council sitting in continuation of Legislative Session Day # 38 for action.
- (28) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve Water and Sewer Plan Category Change: Oxbridge Development at Bowie Mill Estates (Levchenko)
- (29) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services - \$108,770 for the Child Assessment Center (Source: General funds) (Planell)
- (30) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve Memorandum of Agreement between the County and the U.S. Department of Justice Bureau Department of Alcohol, Tobacco, Firearms and Explosives regarding Accelerant Detection Canine Program (Boucher)
- (31) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services - \$422,110 for Care for Kids Program (Source: General Fund Undesignated Reserves) (Planell)
HHS Committee worksession tentatively scheduled for 11/28/05.
- (32) 1:30 **PUBLIC HEARING/ACTION** - Special appropriation to the County Government's FY06 Operating Budget, Department of Health and Human Services and Montgomery County Public Schools' - \$152,570 for Pre-Kindergarten Services (Source: General Fund Undesignated Reserves) (Planell)
- (33) 2:45 **OVERVIEW** - Economic Indicators and Fiscal Plan (Farber)
- (34) 3:00 **PRESENTATION** - Report of the Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Arthur)
- 3:30 **ADJOURN**
- 3:35 **PROPOSED CLOSED SESSION** for the purpose of consulting with staff and counsel to obtain legal advice regarding pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a) (7) and (8). Topic is Hampden Lane LLC. (6th floor Conference Room) (Faden/Wilson)
- 7:30 **PUBLIC HEARINGS - NOTICE:** *These public hearings have been continued to 1/17/06 at 7:00 pm. All speakers will be heard at that time.*
- ZTA 05-18, Planning Board Public Hearings - Hearing Examiner (Wilson)
 - ZTA 05-19, Site Plan Enforcement (Wilson)
 - ZTA 05-17, Site Plan Enforcement (Wilson)
 - SRA 05-04, Site Plan Enforcement (Wilson)
 - **Bill 35-05**, Permitting Services - Site Plan Enforcement (Faden)

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on December 13, 2005:

Solid Waste Advisory Committee: Odell Hall, J. Earl Harris, Dennis F. Holt, Judith A. Kane, Walter Sonnevile

Criminal Justice Coordinating Commission: Penny J. Coleman, Roger P. Manno, Colleen Davies, Marlene Beckman, Monica Kinney

Cable Communications Advisory Committee: Yen-Ju Chen, Trish Evans, David Friedman, R. Elizabeth Irons, Joy M. Ragsdale, Jim Schleckser, Suzanne J. Weiss

The following appointment was received from the County Executive and will be scheduled for interview and confirmation at a later date:

Housing Opportunities Commission: Norman Cohen

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Dec 13, 2005	9:30 am	Regular Session
Dec 19, 2005 - Jan 13, 2005		RECESS
Jan 16, 2006		HOLIDAY
Jan 17, 2006	9:15 am	Regular Session
Jan 23, 2006	12:30 pm	State Legislation
Jan 24, 2006	9:15 am	Regular Session
Jan 30, 2006	12:30 pm	State Legislation
Jan 31, 2006	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

January 17, 2005

7:00 pm ZTA 05-20, Site Plans - Approval, Amendment, and Enforcement
7:00 pm ZTA 05-17, Site Plan Enforcement
7:00 pm ZTA 05-18, Planning Board Public Hearings - Hearing Examiner
7:00 pm ZTA 05-19, Site Plan Enforcement
7:00 pm SRA 05-04, Site Plan Enforcement
7:00 pm **Bill 35-05**, Permitting Services - Site Plan Enforcement

January 19, 2005

7:30 pm Resolution to amend the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Multi-Use On-Site Systems



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